

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
ALTAUNE BROWN,	:	
	:	
Plaintiff,	:	
	:	24-CV-5688 (VSB)
-against-	:	
	:	<u>ORDER</u>
FRANKIE SHOP LLC & FLEMINGTON	:	
ESTATES LLC,	:	
	:	
Defendants.	:	
-----	X	
	:	
FLEMINGTON ESTATES LLC,	:	
	:	
Cross Claimant,	:	
	:	
-against-	:	
	:	
FRANKIE SHOP LLC,	:	
	:	
Cross Defendant.	:	
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VERNON S. BRODERICK, United States District Judge:


Plaintiff filed this action on July 29, 2024, (Doc. 1), and filed affidavits of service on August 8, 2024, (Docs. 7–8). Following several extensions, (*see* Docs. 10, 13, 15), Defendant Flemington Estates LLC answered Plaintiff’s complaint and asserted a crossclaim against Defendant Frankie Shop LLC, (Doc. 17). On November 21, 2024, I granted Defendant Franke Shop LLC’s motion for an extension of time to January 9, 2025 to respond to Plaintiff’s complaint and Defendant/Cross Claimant Flemington Estate LLC’s crossclaim. (Doc. 21.) To date, Defendant Frankie Shop has not responded to the complaint. Neither Plaintiff or Flemington Estate LLC, however, have taken further action to prosecute their claims against Frankie Shop LLC. Accordingly, if Plaintiff or Cross Claimant intend to seek a default

judgment against Frankie Shop LLC, they are directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than January 31, 2025. If either party fails to do so or otherwise fails to demonstrate an intent to prosecute their claims, I may dismiss the claims for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

Alternatively, by January 31, 2025, the parties may file a joint status letter, providing a date certain for any proposed next steps.

SO ORDERED.

Dated: January 21, 2025
New York, New York


VERNON S. BRODERICK
United States District Judge